

SUMMONS IN A CIVIL ACTION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN

MARK J. POLK, RV SAVVY PRODUCTIONS, INC.

Case No.
Hon.

v.
INTEGRITY MEDIA GROUP, INC., S & S R.V.
CENTER, INC., TERRY TOWN TRAVEL CENTER,
INC. and THOMAS J. SELVIUS

TO: INTEGRITY MEDIA GROUP, INC.
ADDRESS: 7145 S. Division Ave.
Grand Rapids, MI 49548

A lawsuit has been filed against you.

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff, an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days after service of this summons on you (not counting the day you received it). If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your answer or motion with the Court.

The Court has offices in the following locations:

399 Federal Building, 110 Michigan St., NW, Grand Rapids, MI 49503
P.O. Box 698, 314 Federal Building, Marquette, MI 49855
107 Federal Building, 410 W. Michigan Ave., Kalamazoo, MI 49007
113 Federal Building, 315 W. Allegan, Lansing, MI 48933

PLAINTIFF OR PLAINTIFF'S ATTORNEY NAME AND ADDRESS

ADAM J. KEILEN (P76371)
ROSS W. KEILEN (P78291)
141 E. Michigan Avenue, Suite 602
Kalamazoo, MI 49007
(269) 382-4818

CLERK OF COURT

October 26, 2017

By: Deputy Clerk

Date

PROOF OF SERVICE

This summons for INTEGRITY MEDIA GROUP, INC. was received by me on _____
(name of individual and title, if any) (date)

☐ I personally served the summons on the individual at _____
on _____
(date) (place where served)

☐ I left the summons at the individual's residence or usual place of abode with _____, a person
(name)
of suitable age and discretion who resides there, on _____, and mailed a copy to the individual's last known address.
(date)

☐ I served the summons on _____, who is designated by law to accept service
(name of individual)
of process on behalf of _____ on _____
(name of organization) (date)

☐ I returned the summons unexecuted because _____

☐ Other (specify) _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under the penalty of perjury that this information is true.

Date: _____

Additional information regarding attempted service, etc.:

Server's signature

Server's printed name and title

Server's address

SUMMONS IN A CIVIL ACTION**UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN**

MARK J. POLK, RV SAVVY PRODUCTIONS, INC.

Case No.

Hon.

TO: S & S R.V. CENTER, INC.

ADDRESS: 7145 S. Division Ave.
Grand Rapids, MI 49548

v.

INTEGRITY MEDIA GROUP, INC., S & S R.V.
CENTER, INC., TERRY TOWN TRAVEL CENTER,
INC. and THOMAS J. SELVIUS

A lawsuit has been filed against you.

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff, an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days after service of this summons on you (not counting the day you received it). If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your answer or motion with the Court.

The Court has offices in the following locations:

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PLAINTIFF OR PLAINTIFF'S ATTORNEY NAME AND ADDRESS

ADAM J. KEILEN (P76371)
ROSS W. KEILEN (P78291)
141 E. Michigan Avenue, Suite 602
Kalamazoo, MI 49007
(269) 382-4818

CLERK OF COURT

October 26, 2017

By: Deputy Clerk

Date

PROOF OF SERVICE

This summons for S & S R.V. CENTER, INC. was received by me on _____.

(name of individual and title, if any)

(date)

☐ I personally served the summons on the individual at _____ on _____.

(place where served)

(date)

☐ I left the summons at the individual's residence or usual place of abode with _____, a person of suitable age and discretion who resides there, on _____, and mailed a copy to the individual's last known address.

(name)

(date)

☐ I served the summons on _____, who is designated by law to accept service of process on behalf of _____ on _____.

(name of individual)

(name of organization)

on

(date)

☐ I returned the summons unexecuted because _____.

☐ Other (specify) _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under the penalty of perjury that this information is true.

Date: _____

Additional information regarding attempted service, etc.: _____

Server's signature

Server's printed name and title

Server's address

SUMMONS IN A CIVIL ACTION

UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN

MARK J. POLK, RV SAVVY PRODUCTIONS, INC.

Case No.


Hon.

TO: TERRY TOWN TRAVEL CENTER, INC.
Egg 3145 S. Division Ave.

ADDRESS: 7145 S. Division Ave.
Grand Rapids, MI 49548

INTEGRITY MEDIA GROUP, INC., S & S R.V.
CENTER, INC., TERRY TOWN TRAVEL CENTER,
INC. and THOMAS J. SELVIUS

A lawsuit has been filed against you.

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff, an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 21  days after service of this summons on you (not counting the day you received it). If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your answer or motion with the Court.

PLAINTIFF OR PLAINTIFF'S ATTORNEY NAME AND ADDRESS
ADAM J. KEULEN (B70071)

ADAM J. KEILEN (P76371)

ROSS W. KEILEN (P78291)

141 E. Michigan Avenue, Suite 602

Kalamazoo, MI 49007

(269) 382-4818

CLERK OF COURT

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P.O. Box 698, 314 Federal Building, M... ..

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107 Federal Building, 410 W. Michigan, Marquette, MI 49855

107 Federal Building, 410 W. Michigan Ave., Kalamazoo, MI 49007

113 Federal Building, 315 W. Allegan, Lansing, MI 48933

By: Deputy Clerk

October 26, 2017

Date _____

PROOF OF SERVICE

This summons for TERRY TOWN TRAVEL CENTER, INC. was received by me on _____.

(name of individual and title, if any) (date)

☐ I personally served the summons on the individual at _____
on _____ (date) _____ (place where served)

☐ I left the summons at the individual's residence or usual place of abode with _____, a person of suitable age and discretion who resides there, on _____, and mailed a copy to the individual's last known address.

☐ I served the summons on _____, who is designated by law to accept service
of process on behalf of _____ on _____.

☐ I returned the summons unexecuted because _____

☐ Other (specify) _____

☐ Other (specify) _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under the penalty of perjury that this information is true.

Date: _____

Additional information regarding attempted service, etc.:

Server's signature

Server's printed name and title

Server's address

SUMMONS IN A CIVIL ACTION
UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF MICHIGAN
MARK J. POLK, RV SAVVY PRODUCTIONS, INC.

Case No.
Hon.

v.
INTEGRITY MEDIA GROUP, INC., S & S R.V.
CENTER, INC., TERRY TOWN TRAVEL CENTER,
INC. and THOMAS J. SELVIUS

TO: THOMAS J. SELVIUS
ADDRESS: 7145 S. Division Ave.
Grand Rapids, MI 49548

A lawsuit has been filed against you.

YOU ARE HEREBY SUMMONED and required to serve upon plaintiff, an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure within 21 days after service of this summons on you (not counting the day you received it). If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You must also file your answer or motion with the Court.

PLAINTIFF OR PLAINTIFF'S ATTORNEY NAME AND ADDRESS
ADAM J. KEILEN (P76371)
ROSS W. KEILEN (P78291)
141 E. Michigan Avenue, Suite 602
Kalamazoo, MI 49007
(269) 382-4818

CLERK OF COURT

The Court has offices in the following locations:

399 Federal Building, 110 Michigan St., NW, Grand Rapids, MI 49503
P.O. Box 698, 314 Federal Building, Marquette, MI 49855
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113 Federal Building, 315 W. Allegan, Lansing, MI 48933

By: Deputy Clerk

October 26, 2017
Date

PROOF OF SERVICE

This summons for THOMAS J. SELVIUS was received by me on _____
(name of individual and title, if any) (date)

☐ I personally served the summons on the individual at _____
on _____ (date) _____ (place where served)

☐ I left the summons at the individual's residence or usual place of abode with _____, a person
of suitable age and discretion who resides there, on _____, and mailed a copy to the individual's last known address.
(name) (date)

☐ I served the summons on _____, who is designated by law to accept service
of process on behalf of _____ on _____
(name of individual) (name of organization) (date)

☐ I returned the summons unexecuted because _____

☐ Other (specify) _____

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____.

I declare under the penalty of perjury that this information is true.

Date: _____

Additional information regarding attempted service, etc.: _____

Server's signature

Server's printed name and title

Server's address

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF MICHIGAN**

MARK J. POLK, RV SAVVY
PRODUCTIONS, INC.,

Plaintiffs,

v.

Civil Action No.:

The Honorable:

INTEGRITY MEDIA GROUP, INC.,
S & S R. V. CENTER, INC., TERRY
TOWN TRAVEL CENTER, INC., AND
THOMAS J. SELVIUS,

Defendants.

Adam J. Keilen (P76371)
Ross W. Keilen (P78291)
Attorney for Plaintiffs
Keilen Law, PLC
141 E. Michigan Ave., Ste. 602
Kalamazoo, MI 49007
(269)382-4818

PLAINTIFFS' COMPLAINT

NOW comes PLAINTIFFS, MARK J. POLK and RV SAVVY PRODUCTIONS, INC., by and through counsel, and for this Complaint against the herein named Defendants, and in support thereof, avers as follows:

I. PRELIMINARY STATEMENT

1. This Complaint is filed for copyright infringement under 17 U.S.C. § 501-513, to enjoin the misappropriation of the Plaintiffs' copyrighted materials, to stop the

fraudulent representation of Plaintiffs' copyrighted materials to the general public, and to recover statutory and general damages, reasonable attorney's fees and costs by reason of Defendants' infringement, and other remedies available under applicable law through concurrent jurisdiction.

2. This action arises from a willful and knowing infringement by the Defendants, to fraudulently represent Plaintiffs' materials as their own, and, ultimately, gain a profit. Defendants' knowingly and unlawfully used copyrighted materials, or created derivative works from copyrighted materials, to avoid justly compensating Plaintiffs.
3. Notwithstanding their unlawful and intentional infringement, the Defendants, upon information and belief, continue to produce and use Plaintiffs' work in violation of the law.
4. Plaintiffs made every reasonable effort to resolve this matter without the need for litigation; however, Defendants refused to engage in meaningful discussions regarding a resolution to this dispute.
5. Therefore, Plaintiffs seek this Court's assistance to enjoin Defendants' from infringing on their copyrighted materials, which go to the core of Plaintiffs' business and life's work, and provide a just resolution and award to compensate Plaintiffs for Defendants' blatant dishonesty.

II. PARTIES, JURISDICTION AND VENUE

6. Plaintiff, Mark J. Polk, is a North Carolina resident, specifically located at 150 Bay Ridge Rd., Harrells, North Carolina, 28444.
7. Plaintiff, RV Savvy Productions, Inc., is a North Carolina corporation, located at 150 Bay Ridge Rd., Harrells, North Carolina, 28444.

8. Defendant, Integrity Media Group, Inc., is a Michigan corporation, with a registered office at 7145 S. Division Ave., Grand Rapids, MI 49548. Integrity Media Group's affiliations are so continuous and systematic as to render it at home in Michigan.
9. Defendant, S & S R.V. Center, Inc., is a Michigan corporation, with a registered office at 7145 S. Division Ave., Grand Rapids, MI 49548. S & S R.V. Center's affiliations are so continuous and systematic as to render it at home in Michigan.
10. Defendant, Terry Town Travel Center, Inc., is a Michigan corporation, with a registered office at 7145 S. Division Ave., Grand Rapids, MI 49548. Terry Town Travel Center's affiliations are so continuous and systematic as to render it at home in Michigan.
11. Upon information and belief, Defendant, Thomas J. Selvius is a Michigan resident, with an address commonly known as 7145 S. Division Ave., Grand Rapids, MI 49548.
12. This Court has jurisdiction over the claims set forth in this matter, pursuant to 28 U.S.C § 1331 and 1338(a) and (b) on the basis of federal question jurisdiction.
13. This Court has subject matter jurisdiction on the basis of diversity of citizenship, as the amount in controversy exceeds the sum value of Seventy-Five Thousand Dollars (\$75,000.00) and is between parties of diverse citizenship, pursuant to 28 U.S.C § 1332.
14. The amount in controversy on each count set forth herein exceeds Seventy-Five Thousand Dollars (\$75,000.00), exclusive of interests and costs.
15. Personal jurisdiction over Defendants is based on Defendants, and the various entities, location in Michigan.

16. Venue is proper in the Western District of Michigan because Defendants, and the various entities, have a business or residence located in the Western District of Michigan, pursuant to 28 U.S.C § 1391, wherein a substantial part of the events giving rise to the claims herein described occurred within this judicial district.

III. FACTUAL BACKGROUND

17. Plaintiffs incorporate by reference paragraphs 1 through 16.

18. R. V. Savvy Productions, Inc., is a North Carolina corporation, doing business as RV Education 101 ® (hereinafter “RV Education 101”).

19. RV Education 101 was formed in 1999 and is a nationally renowned producer and seller of educational videos, DVDs, books, e-books and blog posts about how to operate, care for, and safely enjoy recreational vehicles (“RVs”).

20. RV Education 101 provides valuable marketing services and materials.

21. Mark J. Polk authored a best-selling book titled “*The RV Book*”, which sold over 47,000 copies to date.

22. The core of RV Education 101’s business is the commercialization of Mark J. Polk’s original, multimedia content for RVs enthusiasts. Mark Polk, the developer of a substantial amount of the content, who along with his wife, Dawn Polk, are the owners of RV Education 101.

23. RV Education 101’s “most valuable assets” are the intellectual property rights in Mr. Polk’s creative works. The Defendants infringing activity strikes at the very heart of RV Education 101’s business.

24. Defendant's infringements have significantly diverted the internet traffic that drives users to RV Education 101’s websites, where RV Education 101’s creative content,

which is copyrighted (17 DVD titles, 3 paperback books, 16 EBooks and 19 downloadable videos) is available for purchase, leading to a marked loss of traffic and sales.

25. RV Education 101 provides content to numerous companies in the RV industry, such as KOA, FMCA, Rollin' On TV and Go RVing. Said companies pay RV Education 101 for the content or drive substantial amount of traffic to the RV Education 101 website, through attribution to the content and clickable links or promotion on social media, which results in sales.

26. Defendant, Integrity Media Group, is a full-service media company, which specializes in selling promotional materials to RV dealers, including social media campaigns, blogs, internet websites and expertise in SEO, all of which rely on the circulation of large amounts of creative content on topics of interest to RV enthusiasts.

27. Since at least 2015, a significant portion of the creative content that Defendant has used to satisfy the marketing needs of its RV industry clients has come, without authorization, from RV Education 101.

28. Defendants are stealing content from RV Education 101, and the companies which pay for RV Education 101's content, and selling it to RV dealers to drive traffic to their own website.

29. Upon information and belief, Defendants unlawfully published RV Education 101's copyrighted material on their website for at least three-years, if not more, which has resulted in lost sales for Plaintiffs, and unjust profits for the Defendants.

30. Upon information and belief, Defendant used, and represented as their own, at-least sixteen (16) articles, or sections of articles, six (6) of which included the copying of word-for-word content.
31. RV Education 101's primary asset is the company's copyrighted property.
32. For decades, RV Education 101 built a strong portfolio of clients who pay for RV Education 101's services and materials, meaning, clients pay for the use of RV Education 101's creative work.
33. RV Education 101 has the exclusive right to reproduce, distribute, perform, display, license, and prepare derivative works of its copyrighted material.
34. After building a portfolio of work, it would be unjust for other businesses to unlawfully take what RV Education 101 has worked so hard to build.
35. RV Education 101 prepares creative works, and other businesses pay for the benefits of using them.
36. Defendants copied and sold, RV Education 101's work; ultimately, representing RV Education 101's work as their own.
37. Defendants knowingly and willingly used RV Education 101's work for profit.
38. Some of the articles published by Defendants were copied word for word.
39. Some of the articles published by Defendants were altered, which suggests they were aware their conduct was improper.
40. Defendants' copyright infringement was willful.
41. Upon information and belief, Defendant Thomas J. Selvius had the right and ability to supervise the infringing activity.

42. Upon information and belief, Defendant Thomas J. Selvius had a direct financial interest in the infringing activities.

43. The attached blog posts are a blatant copy of RV Education 101's copyrighted material; Defendants' infringement includes, but is not limited to the attached: (see **Exhibits A-WW**).

IV. CAUSES OF ACTION

Count I: Against All Defendants - Copyright Infringement

44. Plaintiffs incorporate by reference paragraphs 1 through 43.

45. Plaintiff, Mark J. Polk, is the owner of a valid copyright.

46. Defendant willfully copied the constituent elements of the copyrighted work that are original.

WHEREFORE, Plaintiff requests the entry of a judgment in its favor against Defendants, jointly or severally, and further, that the Court award relief deemed just and proper.

Count II: Mandatory Injunction

47. Plaintiffs incorporate by reference paragraphs 1 through 46.

48. Plaintiffs are, and will continue to be, irreparably damaged and injured by the aforementioned practices of Defendants and, unless Defendants are directed to cease their infringement with the Plaintiff's materials, Plaintiffs will be caused irreparable injury and damage.

49. Plaintiffs have no adequate remedy at all.

WHEREFORE, Plaintiffs request the entry of a preliminary injunction and a judgment permanently enjoining Defendants from undertaking jointly or

severally, and activity to engage, in publication and the use of Plaintiffs' copyrighted material, in any manner, and further, that the Court award relief that the Court deems just and proper.

WHEREFORE PLAINTIFFS RESPECTFULLY REQUEST that this Honorable Court enter judgment against Defendants in the amount Plaintiffs are found to be entitled, enjoin Defendants, and award damages in excess of \$75,000, together with costs, interest, and attorney fees.

Respectfully submitted,

KEILEN LAW, PLC

Dated: October 26, 2017

By: 

Adam J. Keilen, (P76371)
Keilen Law, PLC
Attorneys for Plaintiff
141 E. Michigan Avenue, Suite 600
Kalamazoo, MI 49007
(269) 382-5440

JURY DEMAND

Plaintiffs hereby demands a trial by jury to hear and decide any and all issues so triable by a jury.

Respectfully submitted,

KEILEN LAW, PLC

Dated: October 26, 2017

By: 

Adam J. Keilen, (P76371)
Keilen Law, PLC
Attorneys for Plaintiffs
141 E. Michigan Avenue, Suite 600
Kalamazoo, MI 49007
(269) 382-4818